

Order

Michigan Supreme Court
Lansing, Michigan

September 14, 2007

Clifford W. Taylor,
Chief Justice

133474

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 133474
COA: 263392
Allegan CC: 04-013744-FC

DENNIS MERVYN SARGENT,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the January 25, 2007 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether the analysis of OV 6 scoring under the former judicial sentencing guidelines, set forth in *People v Chesebro*, 206 Mich App 468 (1994), should be applied to OV 9 scoring under the current legislative sentencing guidelines, MCL 777.39.

We further ORDER the Allegan Circuit Court, in accordance with Administrative Order 2003-03, to determine whether the defendant is indigent and, if so, to appoint counsel to represent the defendant in this Court.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 14, 2007

Corbin R. Davis

Clerk